

## REGULAR MINUTES

### Tulsa Development Authority Board of Commissioners Regular Meeting

One Technology Center  
175 East 2<sup>nd</sup> Street  
Tulsa, OK 74103  
10<sup>th</sup> Floor South Conference Room

Thursday –April 9, 2015

8:30 a.m.

#### Present:

Julius Pegues, Chairman  
Roy Peters, Vice Chairman  
Carl Bracy, Commissioner  
Nancy Roberts, Commissioner  
O.C. Walker II, Executive Director  
Jot Hartley, General Counsel

#### Absent:

Steve Mitchell, Commissioner

#### Also Present:

Kevin Anderson  
Tom Baker  
Linn Roberson-Cain  
Andi Clinger  
Andrew Coffey  
Jim Coles  
Leon Davis  
Mike Dickerson  
Yvonne Hovell  
Norman Kildow  
Steve Larry

#### Also Present:

Robert Leikam  
Ray Meldrum  
Scott Rodehaver  
Cynthia Stewart  
Will Wilkins  
NaTasha Bunch  
Jane Malone  
Carol Young

**The regular meeting was called to order at 8:38 a.m. by Chairman Pegues. Decisions will be made, votes and action taken. A quorum was established. The Agenda will be followed as printed. Reports and supporting documentation were distributed for this meeting and will be incorporated by reference to the minutes and filed with the meeting packet.**

- 1. Roll Call:** Jane Malone called roll; Chairman Pegues, Vice Chairman Peters, Commissioner Bracy, and Commissioner Roberts were in attendance. Commissioner Mitchell was absent. A quorum was present.

**2. Routine, Repetitive Items for Action:**

- a. Minutes of March 5, 2015 Work Study Session
- b. Minutes of March 12, 2015 Regular Meeting
- c. Minutes of March 12, 2015 Executive Session Meeting

Commissioner Bracy moved to approve the minutes, Agenda Items 2. a., 2.b., and 2.c., seconded by Commissioner Roberts. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**  
**Nays: None**

**The motion passed unanimously**

- d. Tulsa Development Authority Financial Report for February 2015
- e. February 2015 – Comparative Financial Statements
- f. February 2015 – Program Income Report

Commissioner Bracy moved to accept the Tulsa Development Authority Financial Report for February 2015 and Comparative Financial Statements for February 2015, and approve **Resolution No. 6075**, approving payment of the February 2015 – Program Income Report, seconded by Vice Chairman Peters. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**  
**Nays: None**

**The motion passed unanimously.**

**3. Receive, Discuss, and Vote:**

- a. **Discussion, consideration, and vote to approve a Resolution authorizing payment to City of Tulsa in the amount of \$2,268.03 for services provided by the Planning and Development, Asset Management and Economic Development Departments during October through December 2014:** Executive Director Walker stated he had a meeting with Dawn Warrick, Director of Planning and Development to discuss the items on the invoice. He recommended the item be approved as presented. After discussion, Commissioner Bracy moved to approve **Resolution No. 6076**, approving payment of invoice from The City of Tulsa Planning and Development, Asset Management, and Economic Development departments in the amount of \$2,268.03 for services rendered October 1 through December 2014. Commissioner Roberts seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**  
**Nays: none**

**The motion passed unanimously.**

b. **Discussion, consideration, and vote to approve a Resolution authorizing an amendment to an existing Redevelopment Agreement between William (Will) Wilkins, Cecilia Wilkins, Novus Homes, LLC, and W3 Development, LLC and TDA for property located on the Northwest corner of North Elgin Avenue and East Archer Avenue, Tulsa, Oklahoma:** General Counsel Hartley explained this request is for a 60 day extension for items not already satisfied in the contract. Counsel Hartley will prepare a contract timeline for the TDA Board. Will Wilkins, a representative with W3 Development, LLC and Scott Rodehaver, a representative with Wallace Engineering, were present to answer questions from the Board regarding a start date and power line issues and resolutions. After discussion, Vice Chairman Peters moved to approve **Resolution No. 6077**, approving Fourth Amendment to a Redevelopment Contract with William (Will) Wilkins, Cecilia Wilkins, Novus Homes, LLC, and W3 Development, LLC for TDA owned property located on the northwest corner of North Elgin Avenue and East Archer Avenue, Tulsa, Oklahoma. Commissioner Bracy seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**  
**Nays: None**

**The motion passed unanimously.**

c. **Discussion, consideration, and vote to approve a Resolution of Support regarding the submission of tax incentive (abatement) to the Tulsa City Council for the purpose of requesting abatement of the increase in property taxes for the Palace Building located at 324 South Main Street, Tulsa, Oklahoma:** Mr. Jim Coles was present to provide information regarding the request for support of the tax incentive abatement for the Palace Building. After discussion, Commissioner Roberts moved to approve **Resolution No. 6078**, approving Resolution of Support from the Tulsa Development Authority for the Palace Building located at 324 South Main Street, Tulsa, Oklahoma. Vice Chairman Peters seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**  
**Nays: None**

**The motion passed unanimously.**

d. **Discussion, consideration, and vote to authorize a Resolution of Support regarding the submission of tax incentive (abatement) to the Tulsa City Council for the purpose of requesting abatement of the increase in property taxes for the Newsprint Project located at 23 West 4<sup>th</sup> Street, Tulsa, Oklahoma:** Mr. Jim Coles was present to provide information regarding the request for support of the tax incentive abatement for the Newsprint Project. After discussion, Vice Chairman Peters moved to

authorize **Resolution No. 6079**, approving Resolution of Support from Tulsa Development Authority for the Newsprint Project located at 23 West 4<sup>th</sup> Street, Tulsa, Oklahoma. Commissioner Bracy seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**  
**Nays: None**

**The motion passed unanimously.**

- e. **Discussion, consideration and vote to approve a Resolution authorizing entering into a Special Projects Agreement to an existing Services Agreement between the City of Tulsa and the Tulsa Development Authority (TDA) for administration of City of Tulsa's Downtown Development and Redevelopment Funds:** General Counsel Hartley explained this was an Agenda item at the March meeting and it was approved with the condition that the term of the interest free loan be defined. General Counsel Hartley stated the City of Tulsa will provide the term of the note and Tulsa Development Authority will apply the dates to the Redevelopment Agreements. After discussion, Vice Chairman Peters moved to approve **Resolution No. 6080**, approving and authorizing execution of Special Project Agreement between the City of Tulsa and the Tulsa Development Authority for administration of the Downtown Development and Redevelopment Fund – Improve Our Tulsa. Commissioner Roberts seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**  
**Nays: None**

**The motion passed unanimously.**

- f. **Discussion, consideration and vote to approve a Resolution authorizing a request from the Downtown Development and Redevelopment Committee to the TDA Board of Commissioners to negotiate and administer a Redevelopment Agreement with River City Development, LLC for the redevelopment of the Enterprise Building as the Meridia Apartments located at 522 South Boston Avenue, Tulsa, Oklahoma:** General Counsel Hartley explained the prepared Resolution provides Tulsa Development Authority with the authority to negotiate and administer a Redevelopment Agreement with River City Development, LLC after the Special Projects Agreement is approved by the City of Tulsa. After discussion, Vice Chairman Peters moved to approve **Resolution No. 6081**, approving City of Tulsa request for Tulsa Development Authority negotiation and administration of Redevelopment Agreement with River City Development, LLC for the Redevelopment of the real property located at 522 South Boston Avenue, Tulsa, Oklahoma – Meridia Apartment Project. Commissioner Roberts second the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**

**Nays: None**

**The motion passed unanimously.**

- g. Discussion, consideration, and vote to approve a Resolution authorizing an amendment to existing Redevelopment Agreements between Hartford Commons, LLC, Tulsa Urban Development Group, LLC, d/b/a Urban8 and Tulsa Open Space Alliance, LLC and TDA for property located at 212 South Kenosha Avenue, Tulsa, Oklahoma:** General Counsel Hartley explained the Resolution extends the completion date of the project by 180 days. Mr. Robert Leikam, a representative with American Residential Group, answered questions and concerns from the Board. After discussion, Commissioner Bracy moved to approve **Resolution No. 6082**, approving Sixth Amendment to Redevelopment Agreement with Hartford Commons, LLC for the Redevelopment of TDA owned property located near the southeast corner of Greenwood Avenue and Second Street, Tulsa, Oklahoma. Vice Chairman Peters seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**

**Nays: None**

**The motion passed unanimously.**

- h. Discussion, consideration, and vote to approve a Resolution approving the selection of candidates to serve on the Business Sector for the Citizens Advisory Team (NTB-CAT) in North Tulsa Sector Plan Updates.:** Executive Director Walker stated the list was approved by Councilor Jack Henderson. He also explained Devin Lavigne, with Houseal Lavigne, is agreeable to combining the teams for Community Workshop and the Business Workshop into one meeting for the North Tulsa Sector Plan Update. After discussion, Commissioner Bracy moved to approve **Resolution No. 6083**, approving members of the Citizens Advisory Team for the North Tulsa Business Sector (NTB-CAT) for update of the City of Tulsa Sector Plans. Vice Chairman Peters seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**

**Nays: None**

**The motion passed unanimously.**

- i. Discussion, consideration, and vote to approve a Resolution approving the selection of candidates to serve on the Kendall Whittier Area Citizens Advisory Team (KW-CAT) for the Kendall Whittier Sector Plan Update:** Executive Director Walker stated the list was approved by Councilor Blake Ewing and answered questions and concerns from the Board. After discussion, Commissioner Bracy moved to approve **Resolution No. 6084**, approving members of Citizens Advisory Team for the Kendall Whittier Neighborhood (KC-CAT) for update of the City of Tulsa Sector Plans.

Commissioner Roberts seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**

**Nays: None**

**The motion passed unanimously.**

- j. Discussion, consideration, and vote to approve a Resolution authorizing entering into a Contract for Sale of Land for Private Redevelopment between Angela D. Offord and TDA for property located at 570 East Queen Street, Tulsa, Oklahoma:** Executive Director Walker explained the property is a vacant lot and will be processed in the same manner as the Dirty Butter – Heritage Hills lots were processed. After discussion, Commissioner Bracy moved to approve **Resolution No. 6085**, approving contract for sale of land for private redevelopment for TDA owned lot located at 570 East Queen Street, Tulsa, Oklahoma – Angela Offord. Vice Chairman Peters seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**

**Nays: None**

**The motion passed unanimously.**

- k. Discussion and consideration and vote to approve a Resolution authorizing a termination of a Contract for Sale of Real Estate and refund the Good Faith deposit for Willeka Dickson for TDA property located at 312 East Xyler Street, Tulsa, Oklahoma:** Executive Director Walker explained Ms. Willeka Dickson experienced difficulties in obtaining liability insurance coverage for the amounts required by TDA policy and the best solution is to terminate the agreement and refund the earnest deposit in the amount of \$400.00. After discussion, Vice Chairman Peters moved to approve **Resolution No. 6086**, approving termination of Redevelopment Agreement and Refund of Good Faith Deposit for TDA owned lot located at 312 East Xyler Street, Tulsa, Oklahoma – Willeka Dickson. Commissioner Bracy seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**

**Nays: None**

**The motion passed unanimously.**

- 4. Executive Session: Discussion, consideration and vote to go into Executive Session as authorized by 25 O.S. §307(b)(4) for confidential communications with TDA General Counsel regarding a pending investigation, claim or action upon determination by the TDA Board of Commissioners, with the advice of its General Counsel, that disclosure will seriously impair the ability of the TDA Board of Commissioners to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest and/or**

**25 O.S. §307(c)(10) for the purpose of conferring on matters pertaining to economic development for which public disclosure of the matter discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business:**

- a. Confidential communication with Counsel regarding a request to amend an existing Redevelopment Agreement between One Place SE, LLC and request for new Redevelopment Agreement with One Place Hospitality, LLC and TDA for property located on the Northwest Corner of East 3<sup>rd</sup> Street and South Cheyenne Avenue, Tulsa, Oklahoma. [25 O.S. §307(b)(4) and §307(c)(10).]
- b. Confidential communication with Counsel regarding a Subordination Agreement between First Street Lofts and TDA for property located at 310 East 1<sup>st</sup> Street South, Tulsa, Oklahoma. [25 O.S. §307(b)(4) and §307(c)(10).]

**Commissioner Bracy moved to go into Executive Session at 9:24 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:**

**Ayes: Pegues, Peters, Bracy, and Roberts**

**Nays: None**

**The motion passed unanimously.**

5. **Return to open session.** Jane Malone called roll.
6. **Statement of Executive Session:** During Executive Session, all Commissioners of the Authority who were present for this meeting were present for the Executive Session. The Authority maintained a quorum. During the Executive Session, the items on the published Agenda were the only items discussed. No votes were taken during the session. This will constitute the minutes of the Executive Session.
7. **Discussion, consideration and vote on items discussed in Executive Session:**

4.a. – One Place Hospitality

General Counsel Hartley requested the Board to approve a Resolution authorizing negotiations with One Place Hospitality.

After discussion, Vice Chairman Peters moved to approve **Resolution No. 6087**, authorizing negotiations with One Place Hospitality, LLC for the Redevelopment of real property located at the northwest corner of West 3<sup>rd</sup> Street and South Cheyenne Avenue, Tulsa, Oklahoma. Commissioner Bracy seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**

**Nays: None**

**The motion passed unanimously.**

- 8. Gather information for the purpose of developing a Strategic Plan for the Tulsa Development Authority – EverMore Services, LLC (Cynthia Stewart):** Cynthia Stewart gave a presentation of the topics that support the strategic direction for TDA. The presentation included input from the Board of Commissioners regarding Economic Diversity and Critical Success Factors.
- 9. New Business:** Commissioner Roberts and Bracy authorized Executive Director Walker to contact Ms. Loretta Ferris in regards to visiting Tulsa and TDA.
- 10. Adjournment:** Vice Chairman Peters moved to adjourn the meeting at 11:43 a.m. Commissioner Bracy seconded the motion. The vote was recorded as follows:

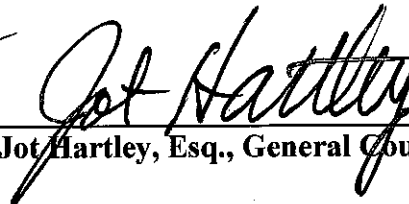
**Ayes: Pegues, Peters, Bracy, and Roberts**  
**Nays: None**

**The motion passed unanimously.**

**Tulsa Development Authority**

**Approved as to legal form and adequacy:**

  
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**Julius Pegues, Chairman**

  
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**Jot Hartley, Esq., General Counsel**

[4-9-2015 – Regular Meeting Minutes - (nb-)]